

The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL ANGEL MIER-NAVA,

Defendant.

NO. CR06-5351RBL

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on motion of the United States for entry of a Final Order of Forfeiture with respect to the following assets:

- (a) One (1) Jennings .380 caliber semi-automatic pistol, S/N 1329894 and a loaded magazine with seven .380 bullets.

On December 14, 2007, this Court entered a Preliminary Order of Forfeiture in the above-captioned case forfeiting defendant Miguel Angel Mier-Nava's interest in one (1) Jennings .380 caliber semi-automatic pistol, S/N 1329894 and a loaded magazine with seven .380 bullets.

The above-referenced asset was subject to forfeiture pursuant to Title 21, United States Code, Section 853, based on Miguel Angel Mier-Nava's guilty plea to Distribution of Methamphetamine, as charged in Count One of the Superseding Information, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846; and Possession of Methamphetamine with the Intent to Distribute,

1 as charged in Count Two of the Superseding Information, in violation of Title 21, United
2 States Code, Sections 841(a)(1), 841(b)(1)(B) and 846, and his agreement to forfeit the
3 assets.

4 Pursuant to Title 21, United States Code, Section 853(n), the United States
5 published notice in The Daily Journal of Commerce on February 25, 2008, and March 3,
6 2008, and March 10, 2008. In the publication the United States published notice of the
7 Preliminary Order of Forfeiture and the intent of the United States to dispose of the
8 property in accordance with law. This notice further stated that any person other than the
9 defendant having or claiming an interest in the property was required to file a petition
10 with the Court within thirty (30) days of the final publication of the notice or personal
11 receipt of the notice, whichever was earlier, setting forth the nature of the petitioner's
12 right, title, and interest in the property.

13 A trace conducted by the Drug Enforcement Administration revealed that the
14 above listed weapon had not been reported stolen. The .380 Caliber semi-automatic
15 pistol was initially purchased by a third party unrelated to Miguel Angel Mier-Nava, from
16 licensed firearms dealers 4 years prior to their seizure. Further potential owners or
17 individuals with an interest in the above weapons are not known, as pursuant to
18 Washington Revised Code 9.41, any transfers between private parties in Washington are
19 recorded with the Department of Licensing only with the voluntary submission of a
20 Private Disposition/Transfer Form.

21 On April 24, 2008, the United States sent notice, via certified mail, to the last
22 registered owner of the intent of the United States to forfeit the asset listed in the Notice
23 of Publication in the criminal case filed against Miguel Angel Mier-Nava. The return
24 receipt indicates delivery on April 26, 2008.

25 No petitioners have come forward to assert an interest in the forfeited property.
26 Accordingly,

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1 IT IS ORDERED, ADJUDGED and DECREED that the following property is
2 hereby fully and finally condemned and forfeited to the United States in its entirety:

- 3 (a) One (1) Jennings .380 caliber semi-automatic pistol, S/N 1329894 and a
4 loaded magazine with seven .380 bullets.

5 The United States Marshals Service is authorized to dispose of the above-listed
6 property in accordance with the law.

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8 The Clerk of the Court is hereby directed to send a copy of this Final Order of
9 Forfeiture to all counsel of record and to send three (3) "raised seal" certified copies to
10 the United States Marshals Service in Seattle, Washington.

11 DATED this 3rd day of June, 2008.

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13 
14 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

15 Presented by:

16
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